

**SUPREME COURT MINUTES
WEDNESDAY, MAY 8, 2002
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 8, 2002, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Harry Kinney, Supreme Court Marshal.

S087843 Nancy A. Konig, Appellant

v.

Fair Employment and Housing Commission, Appellant

Cause called. Kathleen W. Mikkelsen, Deputy Attorney General, argued for Appellant Fair Employment and Housing.

James M. Harris argued for Appellant Konig.

Ms. Mikkelsen replied.

Cause submitted.

S096524 Dan Esberg, Plaintiff and Appellant

v.

Union Oil Company of California, Defendant and Appellant

Jeff Winston et al., Defendant and Respondents

Cause called. Dale M. Fiola argued for Appellant Esberg.

David Ozeran argued for Appellant Union Oil.

Mr. Fiola replied.

Cause submitted.

S086462 People, Respondent

v.

Tye John Engelman, Appellant

Cause called. Kyle Marie Wesendorf argued for Appellant.

Peter Quon, Jr., Supervising Deputy Attorney General, argued for Respondent.

Ms. Wesendorf replied.

Cause submitted.

Court recessed upon 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the Court and Officers present as first shown.

S098821 People, Plaintiff and Respondent

v.

Jose Luis Rodriguez, Defendant and Appellant

Cause called. Athena Shudde argued for Appellant.

Sharlene A. Honnaka, Deputy Attorney General, argued for Respondent.

Ms. Shudde replied.

Cause submitted.

S093597 Chris Lolley, Plaintiff and Appellant

v.

Shawn Campbell, Defendant and Respondent

Cause called. William A. Reich, California Department of Industrial Relations, argued for Appellant.

Gabriele Mezger-Lashly argued for Respondent.

Mr. Reich replied.

Cause submitted.

S029460 People, Respondent

v.

Randall Scott Cash, Appellant

Cause called. Mark D. Greenberg argued for Appellant.

John H. Deist, Deputy Attorney General, argued for Respondent.

Mr. Greenberg replied.

Cause submitted.

S009038 In re Robert M. Sanger on Contempt

People, Respondent

v.

Richard Dean Turner, Appellant

The petition for rehearing is GRANTED.

The order to show cause re contempt previously issued in this matter is discharged and the contempt proceeding is dismissed.

Court adjourned.

S009038 In re Thomas L. Riordan and Robert M. Sanger, Attorneys at Law

People, Respondent

v.

Richard Dean Turner, Appellant

The petition for rehearing is GRANTED.

The order to show cause re contempt previously issued in this matter is discharged and the contempt proceeding is dismissed.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Moreno, J.

S100490 In re Nicholas H., a Person Coming Under the Juvenile Court Law

1st Dist.

A092188 Alameda County Social Services Agency, Petitioner and Respondent

Div. 2

v.

Kimberly H., Objector and Appellant

The motion to vacate submission is denied, without prejudice to petitioner's filing, no later than May 13, 2002, of responsive briefs to the briefs that were filed on April 23, 2002, and April 25, 2002.

S027766 People, Respondent

v.

Stephen Cole, Appellant

Good cause appearing, and based upon Supervising Deputy Attorney General Victoria B. Wilson's representation that she anticipates filing the respondent's brief by June 5, 2002, counsel's request for an extension of time in which to file that brief is granted to June 5, 2002. After that date, no further extension is contemplated.

S031423 People, Respondent

v.

Gregory Allen Sturm, Appellant

Good cause appearing, and based upon Deputy Attorney General Karl T. Terp's representation that he anticipates filing the respondent's brief by July 5, 2002, counsel's request for an extension of time in which to file that brief is granted to July 5, 2002. After that date, no further extension will be granted.

S100360 People, Respondent

v.

Christopher F. Posey, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to and including June 10, 2002.

S102859 In re Jose Villasenor

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including May 10, 2002.

S104589 In re Phillip L. Lucero

on

Habeas Corpus

Good cause appearing, and based upon Deputy Attorney General Vincent L. Rabago's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by August 2, 2002, counsel's request for an extension of time in which to file that document is granted to June 3, 2002. After that date, only two further extensions totaling 61 additional days are contemplated.

S094088 People, Respondent

v.

Arlene Dena Sanders et al., Appellants

Upon request of appellant Kenton McDaniel for appointment of counsel, the Central California Appellate Program is hereby

appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S094088 People, Respondent

v.

Arlene Dena Sanders et al., Appellants

Upon request of appellant Arlene Dena Sanders for appointment of counsel, J. Peter Axelrod is hereby appointed to represent appellant on her appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S104634 People, Respondent

v.

Andrew Gary Schlager, Appellant

Upon request of appellant for appointment of counsel, the Central California Appellate Program is hereby appointed to represent appellant on his appeal now pending in this court.

S104995 People, Plaintiff and Appellant

v.

Roosevelt Lorenzo Toney, Defendant and Respondent

Upon request of respondent for appointment of counsel, the Central California Appellate Program is hereby appointed to represent respondent on his appeal now pending in this court.

Respondent's brief on the merits shall be served and filed on or before thirty (30) days from the date appellant's opening brief on the merits is filed.